

PTO/SB/30 (09-03)

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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Request For Continued Examination (RCE) Transmittal Address to: MS RCE Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450	Application Number	09/735273
	Filing Date	December 11, 2000
	First Named Inventor	Edwin A. Clark
	Art Unit	1634
	Examiner Name	J. C. Switzer
	Attorney Docket Number	WIBL-P01-534

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.

Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____

ii. ☐ Other _____

b. ☒ Enclosed

i. ☒ Amendment/Reply

iii. ☒ Information Disclosure Statement (IDS)

ii. ☐ Affidavit(s)/Declaration(s)

iv. ☐ Other _____

2. **Miscellaneous**

a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)

b. ☐ Other _____

3. **Fees** The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 18-1945

i. ☒ RCE fee required under 37 CFR 1.17(e)

ii. ☐ Extension of time fee (37 CFR 1.136 and 1.17)

iii. ☐ Other _____

b. ☐ Check in the amount of \$ _____ enclosed

c. ☐ Payment by credit card (Form PTO-2038 enclosed)

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED			
Name (Print/Type)	Xuqiong Wu	Registration No. (Attorney/Agent)	55,745
Signature		Date	July 12, 2004

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: MS RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: 7-12-04 Signature: Maura A. Gallagher (Maura Gallagher)

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AMENDMENT TRANSMITTAL LETTER			Docket No. WIBL-P01-534
Application No. 09/735273	Filing Date December 11, 2000	Examiner J. C. Switzer	Art Unit 1634

Applicant(s): Clark et al.

Invention: METASTASIS GENES AND USES THEREOF

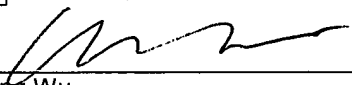
TO THE COMMISSIONER FOR PATENTS

Transmitted herewith is an amendment in the above-identified application.

The fee has been calculated and is transmitted as shown below.

CLAIMS AS AMENDED					
	Claims Remaining After Amendment	Highest Number Previously Paid	Number Extra Claims Present	Rate	
Total Claims	11	- 35 =	0	x	0
Independent Claims	6	- 13 =	0	x	0
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					
Other fee (please specify): Request for Continued Examination: \$770.00					
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT:					\$770.00

- ☒ Large Entity ☐ Small Entity
- ☐ No additional fee is required for this amendment.
- ☒ Please charge Deposit Account No. 18-1945 in the amount of \$ 770.00.
A duplicate copy of this sheet is enclosed.
- ☐ A check in the amount of \$ _____ to cover the filing fee is enclosed.
- ☐ Payment by credit card. Form PTO-2038 is attached.
- ☒ The Director is hereby authorized to charge and credit Deposit Account No. 18-1945
as described below. A duplicate copy of this sheet is enclosed.
- ☒ Credit any overpayment.
- ☒ Charge any additional filing or application processing fees required under 37 CFR 1.16 and 1.17.


Xuqiong Wu
Attorney Reg. No.: 55,745

Dated: July 12, 2004

ROPES & GRAY LLP
One International Place
Boston, Massachusetts 02110-2624
(617) 951-7000

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Dated: 7-12-04

Signature: Maura A. Gallagher (Maura A. Gallagher)



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Dated: 7-12-04 Signature: Maura A. Gallagher
(Maura A. Gallagher)

Docket No.: WIBL-P01-534
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Clark, *et al.*

Confirmation No.: 3583

Application No.: 09/735,273

Art Unit: 1634

Filed: December 11, 2000

Examiner: Juliet Caroline Switzer

For: METASTASIS GENES AND USES THEREOF

AMENDMENT
TO ACCOMPANY REQUEST FOR CONTINUED EXAMINATION

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

INTRODUCTORY COMMENTS

This amendment is filed to accompany the Request for Continued Examination (RCE) being concurrently filed. A Notice of Appeal was received by the United States Patent and Trademark Office on May 10, 2004. Therefore, the deadline for filing a Brief on Appeal is July 10, 2004. However, since July 10, 2004 was a Saturday, pursuant to 37 C.F.R. § 1.7, a Brief on Appeal may be timely filed on Monday, July 12, 2004. In lieu of filing a Brief on Appeal, Applicants are filing an RCE.

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 6 of this paper.